

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOHN P. "JACK" FLYNN and LESLIE A. FLYNN,

Plaintiffs,

-v-

CABLE NEWS NETWORK, INC.,

Defendant.

CIVIL ACTION NO.: 21 Civ. 2587 (GHW) (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

Pursuant to the telephonic discovery conference held today, February 21, 2023 (the "Conference"), the Court orders as follows:

1. To the extent the pre-conference letters of Defendant Cable News Network, Inc. ("CNN") (ECF Nos. 104; 105) sought production from Plaintiffs John P. "Jack" Flynn ("Jack") and Leslie A. Flynn (together, the "Flynnns"), the Court orders as follows:
  - a. CNN shall provide the Flynnns with a list of five to ten (5–10) search terms, which Plaintiffs shall apply to (i) the Telegram accounts of Jack and Laurie Flynn; and (ii) the WhatsApp accounts of the Flynnns.
  - b. Plaintiffs' counsel shall re-produce the data downloaded for the Twitter handle @JosephJFlynn1.
2. Plaintiffs' letter-motion seeking to compel the deposition of Anderson Cooper (ECF No. 110) is DENIED. Plaintiffs may renew their application to the extent they can provide evidence that would satisfy the standard set forth in New York Times Co. v. Sullivan, 376 U.S. 254 (1964), as discussed in the Conference.

3. By **Tuesday, February 28, 2023**, Plaintiffs' counsel shall provide to CNN the screenshots demonstrating attempts to access and download Twitter data, which CNN shall provide to Twitter. CNN's letter-motion to compel the Flynn's to download the Twitter data for the outstanding accounts, outlined in ECF No. 112 and discussed in the Conference (ECF No. 112), is DENIED WITHOUT PREJUDICE.
4. All discovery, including expert discovery, shall be completed by **Thursday, May 18, 2023**, and by **Thursday, May 25, 2023**, the parties must file a joint letter on the docket certifying that all discovery is complete.
  - a. The parties shall simultaneously exchange the disclosures required by Federal Rule of Civil Procedure 26(a)(2) on **Monday, April 24, 2023** for principal expert reports. The parties shall simultaneously exchange rebuttal expert disclosures required by Federal Rule of Civil Procedure 26(a)(2) on **Monday, May 8, 2023**.
  - b. All expert depositions shall be completed by **Thursday, May 18, 2023**.
5. The parties shall order a transcript of the Conference and file it on the docket. The parties shall submit a single request to: [etranscripts@nysd.uscourts.gov](mailto:etranscripts@nysd.uscourts.gov) by **Friday, February 24, 2023**.
6. The Clerk of Court is respectfully directed to close ECF Nos. 110 and 112.

Dated: New York, New York  
February 21, 2023

SO ORDERED.

  
SARAH L. CAVE  
United States Magistrate Judge